
HOUSE BILL No. 1032

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-7.

Synopsis: Child seduction. Specifies that for purposes of the crime of child seduction, a child care worker includes a person who works for compensation or as a volunteer for a: (1) school corporation; (2) nonpublic school; (3) cooperative organization in which a school corporation or nonpublic school is a member; or (4) cooperative program in which a school corporation or a nonpublic school participates; that is attended by a child who is the victim of a sex crime. (Current law states that a child care worker includes a person who is employed by a school corporation or nonpublic school attended by a child who is the victim of a sex crime.)

Effective: July 1, 2008.

Battles

January 8, 2008, read first time and referred to Committee on Courts and Criminal Code.

C
o
p
y



Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1032

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-7, AS AMENDED BY P.L.1-2005,
2 SECTION 228, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) As used in this section,
4 "adoptive parent" has the meaning set forth in IC 31-9-2-6.

5 (b) As used in this section, "adoptive grandparent" means the parent
6 of an adoptive parent.

7 (c) As used in this section, "child care worker" means a person who:

8 (1) provides care, supervision, or instruction to a child within the
9 scope of the person's employment in a shelter care facility; or

10 (2) ~~is employed by~~ **works for compensation or as a volunteer**
11 **for a:**

12 (A) school corporation; ~~or~~

13 (B) nonpublic school;

14 **(C) cooperative organization in which a school corporation**
15 **or nonpublic school is a member; or**

16 **(D) cooperative program in which a school corporation or**
17 **nonpublic school participates;**



C
o
p
y

1 attended by a child who is the victim of a crime under this
2 chapter.

3 (d) As used in this section, "custodian" means any person who
4 resides with a child and is responsible for the child's welfare.

5 (e) As used in this section, "nonpublic school" has the meaning set
6 forth in IC 20-18-2-12.

7 (f) As used in this section, "school corporation" has the meaning set
8 forth in IC 20-18-2-16.

9 (g) As used in this section, "stepparent" means an individual who is
10 married to a child's custodial or noncustodial parent and is not the
11 child's adoptive parent.

12 (h) If a person who is:

13 (1) at least eighteen (18) years of age; and

14 (2) the:

15 (A) guardian, adoptive parent, adoptive grandparent,
16 custodian, or stepparent of; or

17 (B) child care worker for;
18 a child at least sixteen (16) years of age but less than eighteen
19 (18) years of age;

20 engages with the child in sexual intercourse, deviate sexual conduct (as
21 defined in IC 35-41-1-9), or any fondling or touching with the intent to
22 arouse or satisfy the sexual desires of either the child or the adult, the
23 person commits child seduction, a Class D felony.

24 **SECTION 2. [EFFECTIVE JULY 1, 2008] IC 35-42-4-7, as**
25 **amended by this act, applies only to crimes committed after June**
26 **30, 2008.**

C
O
P
Y

